

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

QOBEY,

Plaintiff,

v.

,

Defendant.

Case No. [17-cv-03515-JD](#)

ORDER OF DISMISSAL

Re: Dkt. No. 5

This case was opened when plaintiff wrote a letter to the Court regarding his detention. In an effort to protect his rights, it was filed as a new case. Petitioner was advised that he needed to file a formal complaint or habeas petition and was given twenty-eight days to do so. He also was sent a notice that he had not paid the filing fee or applied for leave to proceed in forma pauperis ("IFP"); again, he was allowed twenty-eight days to either pay the fee or file the application. A copy of the court's form for applications to proceed IFP was provided with the notice, along with a return envelope.

Petitioner has submitted an IFP application but has failed to file a complaint or petition. The motion to proceed IFP (Docket No. 5) is **GRANTED** and this case is **DISMISSED** without prejudice. The clerk shall close the file.

IT IS SO ORDERED.

Dated: August 17, 2017



JAMES DONATO
United States District Judge